

DE_12345_12345-BR_2020_09_19T08_34_06

ATTACHMENT 2

[11:56]

Harris: This better be a good spot

Franks: Well, so, I met with the guy. Went over price. Said he's gonna be collecting the money. Uh, said it might take him a week; might take him two.

Harris: Let's head left.

Franks: Yup. Um, and then I, said, I offered, or I brought the, me taking his car, to, you know. Taking it to the carwash, dropping some shit in there, dropping it off in a random parking lot, telling him where it's at. Uh, he was like, "Well, so like I haven't seen you in a while and you randomly just hit me up." He's like, "I don't want to do that." So, OK, I kind of see where you're coming from with that. Um, he was like, "It'll just be me and you, here, at my place." What do you guys think?

Dan: What's your history with him?

Franks: Uh, I did about a year with him, locked in a cell with him.

Dan: And you hit him up? Or he hit you up?

Franks: No, I hit him up.

Dan: And this is over a rifle? Or what?

Franks: Rifle, two pistols.

Dan: OK. And you been to his house?

Franks: Yeah, I've been to his house a couple times. I haven't said anything over the phone other than, "Hey, do you wanna meet up." And then I meet up with him, that's what we talked about, everything.

Dan: OK.

Franks: When I went into his house, I asked to use his bathroom, looked around, there's nobody hiding in his, in his fucking house. Checked all his rooms.

Dan: How long ago did he buy the house?

Franks: Uh, he rents. It's like, a townhouse. We're just gonna keep going straight for another 4, 5 miles.

Dan: Is it a, second story? Single story?

Franks: Yeah, it's got a second story, no basement. Walk in the front door, he's got a sliding glass back door. Um, leads to, what I think is like a business? Or a school? It's a dead end, in the back. Um. The only weird thing is, is there is the Sheriff's Department, right next to his house.

Dan: Oh. Well if you don't go as loud.

Franks: Yeah. So, I don't think any resistance from him at all. I mean, he just, he sells a bunch of weed. Some buddies of his just got killed, so, I brought it up mostly because of that. I was like, somebody who probably wants to buy some guns.

Dan: Right.

Franks: For three times the price that we paid for 'em.
(Laughter)

Harris: He don't know.

Garbin: Well, dude, that's how like, this market works, is, they know what it costs at the gun store. But they can't just go to a gun store and get 'em, right?

Franks: Yeah.

Garbin: So they have to pay whatever market value is.

Dan: Street value.

Franks: That's what he said, too.

Garbin: No, it's not street value, because the street is still a market.

Harris: Well,

Garbin: Just a darker market.

Dan: Yes.

Franks: And I, I really, 'cause he was like, "Man, that's kind of expensive, for a pistol." And I was like, "Well, it doesn't exist." I was like "This, this is a piece of plastic. Nobody knows that it exists."

Garbin: If you've gotta use it, you throw it away after.

Franks: Yeah.

Garbin: You talk to him about nine or forty?¹

¹Nine millimeter or .40 caliber.

Franks: Yeah, he said nine's fine.

Garbin: So you'll have to get the two barrels. That's, I can have the eighties² done this week.

Franks: OK

Garbin: Those are easy peasy. [UI]

Franks: So, so the only resistance I see is, for whatever reason, if, somebody else is listening to what's going on. With law enforcement.

Dan: Yeah.

Franks: That's the only thing I can think of. But, uh, guy doesn't sell, like, hard drugs, he, he deals weed. So, I don't think he's like, he's not selling fucking heroin or crack or anything. [16:04]

[17:40]

Harris: I was gonna say, if he wants to meet at the parking lot, we can definitely do it at the DHS, uh, parking garage right here, 'cause I know where all the cameras are. And, so, I know exactly where they're angled and everything, and trust me, there are more blind spots than you'd think.

Franks: So that was another thing he mentioned. He said, "Parking lots would not be ideal." He's like "I don't want to be driving around with multiple felonies."

Garbin: Definitely sounds like he just wants protection.

Franks: Oh, that's what he's been, he's like "I'm not carrying this thing out. It's just gonna stay in my room, or if I need to, like, I'm going to a place that's hot," he's like, "I might carry it there, but," he's like, "For the most part, it's just gonna be in my house."

Dan: Alright.

² An "eighty" refers to an "eighty percent kit," an item designed to skirt ATF licensing and registration requirements. ATF has ruled the lower receiver of a gun is a "firearm" for regulatory purposes if the fire control cavity has been more than 80% routed. (ATF Firearms Technology Branch Technical Bulletin 14-01, Nov. 1, 2013.) Various companies market partially routed lower receivers that can be completed by the purchaser with minimal experience and household tools. Unlike completed firearms, these items do not bear serial numbers. They are sometimes referred to in popular parlance as "ghost guns." See, Glenn Thrush, *'Ghost Guns': Firearm Kits Bought Online Fuel Epidemic of Violence*, New York Times (Nov. 15, 2021), <https://plus.lexis.com/api/permalink/ab2dfda8-8ce3-4da0-882c-af9802d3157a/?context=1530671>

Franks: But he's got two buddies, who I've never met. They don't know my name, they don't know who I am. But one's buying the rifle, the other one's buying the other pistol. [19:38]

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1:20

Dan: Whatcha thinking? And what's that building back here? Is that part of the Sheriff's Office?

Franks: Uh, I honestly have no idea. I think it's just a business. Thoughts?

Harris: Pause for thoughts... Um, I mean, we could sit right here, and be backed in. And then, if shit goes south, or, like, we notice anything, I mean, we could, like, we could honestly probably just sit in this roundabout, facing down, so if, like, we see anybody coming, we could like, text you, like, get out.

Dan: I would sit across the street and have Ty lay down in the bed of the truck, with his fucking can. And I just hit this button right here, and the tailgate should go down.

Garbin: OK.

Franks: So what I was thinking was, two spotters. One back here, one up front, so you can see if cars or, fucking MRAPs, are coming from either direction,

(Laughter)

Harris: Fucking MRAP's coming, I'm gonna go, like, "drive."

Dan: Hey guys, there's a panhandler down there, looks pretty shady.

Franks: And then somebody back here, so that if, if up front, somebody sees, you know, a fucking SUV with guys on each side, you text or call me. Or we can get fucking burner phones. And I bolt out the back door into a car. Or, fucking off into the neighborhood.